Art Unit: 2655

Docket No.: 2000/0600C

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of:

Joern Ostermann : Attorney Ref.: 2001-0600C

Serial No.: 10/003,093 : Confirmation No. 5351

Filed: **November 2, 2001** : Art Unit: **2655** 

FOR: SYSTEM AND METHOD FOR : Examiner: Minerva Rivero

SENDING MUTLI-MEDIA MESSAGES USING CUSTOMIZABLE BACKGROUND IMAGES

The Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08A. Unless otherwise indicated herein, one copy of each reference that is not a US Patent reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56(b).

- 1. This information disclosure statement is being filed within three months of the filing date of a national application other than a continued prosecution application under §1.53(d); within three months of the date of the entry of the national stage as set forth in §1.491 in an international application; before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under §1.114. No certification or fee is required. (37 C.F.R. §1.97(b)). If a first office action was mailed before the filing of this IDS, please debit deposit account 502960 the necessary fees set forth in 37 C.F.R. §1.17(p) to proceed to consider the cited references.
- 2. This information disclosure statement is being filed more than three months after the filing date of a national application other than a continued prosecution application under §1.53(d); more than three months after the date of the entry of the national stage as set forth in §1.491 in an international application; after the mailing date of a first Office action on the merits, or after the mailing of a first Office action after the filing of a request for continued examination under §1.114, but before the mailing date of any of a Final action under §1.113, a Notice of Allowance under §1.311 or an action that otherwise closes prosecution in the application. (37 C.F.R. §1.97(c)).

		disclosure statement was first cited	m of information contained in this information in any communication from a foreign patent cation not more than three months prior to the statement. (37 C.F.R. §1.97 (e)(1)).						
		with incorrect patent numbers and references that were listed on previous references themselves being submit no item of new information contained cited in a communication from a submit application and to my knowledge after information contained in the information disclosure statement. (3) information disclosure statement. (4) the cover the fee under 37 C.F. disclosed information. If necessar	of references that were previously submitted lexcept for the resubmission of non-patent ous PTO-1449 forms, without the non-patent ted to the Patent Office, I hereby certify that ed in this information disclosure statement was foreign patent office in a counterpart foreign ter making reasonable inquiry, no item of new nation disclosure statement was known to any ore than three months prior to the filing of this 37 C.F.R. §1.97 (e)(2)).  The ment form and Fee Transmittal for payment of R. §1.17(p) and to ensure consideration of the ry to process this IDS, please debit Deposit I amount in order to ensure consideration of						
	3. This information disclosure statement is being filed after the mailing date of Final action under §1.113, a Notice of Allowance under §1.311, or an action otherwise closes prosecution, whichever occurs first, but on or before paymed Issue Fee. (37 C.F.R. §1.97(d)).								
		disclosure statement was first cited	n of information contained in this information in any communication from a foreign patent cation not more than three months prior to the statement. (37 C.F.R. §1.97(e)(1)).						
		b. I hereby certify that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement. (37 C.F.R.							
		§1.97(e)(2)). c. Please debit Deposit Accou cover the fee under 37 C.F.R. §1.1′ information.	nt No. in the amount of to 7(p) and ensure consideration of the disclosed						
			Respectfully submitted,						
Date:	May 9,	2005	By: Mediand C. Journ						
Corre	sponden	ce Address:	Richard C. Irving						

Attorney for Applicants

Phone: 410-414-3056

Fax No.: 410-510-1433

Reg. No. 38,499

Docket No.: 2000/0600C

Samuel H. Dworetsky
AT&T Corp.
Room 2A-207
One AT&T Way
Bedminster, NJ 07921

Application/Control Number: 10/003,093

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STATEMENT BY APPLICANT				PLICANT	First Named Inventor	Joern Ostermann	MAY 8 9 2005 41
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						U.S. PATENT DOCUMENTS			
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		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
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		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
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	2	LIJUN YIN, A. BASU; "MPEG4 face modeling using fiducial points", IEEE; Image Processing, 1997. Proceedings., International Conference on, Volume: 1, 26-29. 1997	

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	2	LIJUN YIN, A. BASU; "MPEG4 face modeling using fiducial points", IEEE; Image Processing, 1997.  Proceedings., International Conference on, Volume: 1, 26-29. 1997								

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